



DAC/1614
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

Waldemar PFRENGLE)

Serial No. 09/879,258)

Filed: June 12, 2001)

For: FUNGIDICAL TRIAZOLOPYRIMID-7-YLIDENEAMINES)

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JUN 12 2002

OFFICE OF PETITIONS

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on: June 7, 2002
Date of Deposit
Jason D. Voight
Person Making Deposit
Jason D. Voight
Signature
June 7, 2002
Date of Signature

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR §1.47(b)

Sir:

Petitioner requests reconsideration of the Decision of March 19, 2002 in view of the following.

As proof that the non-signing inventor cannot be reached or refuses to sign, petitioner encloses herewith a declaration of Tonja Bortt attesting to the facts that a copy of the application papers was presented to the inventor, but that he did not respond to the request that he sign the oath/declaration.

Petitioner also encloses herewith a declaration for the patent application in compliance with 37 CFR 1.63 and 1.64 signed by the Rule 47 applicant (assignee BASF Aktiengesellschaft) on behalf of inventor Dr. Pfrengle. This declaration also

PRFENGLE et al.

Serial No. 09/879,258

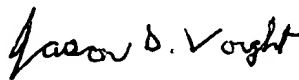
includes a statement by the Rule 47 applicant that the filing is necessary to preserve the rights of the parties.

As proof that BASF Aktiengesellschaft has a sufficient proprietary interest in the application, petitioner encloses a statement under 37 CFR 3.73(b) and a copy of an assignment document signed by Dr. Pfrengle.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF



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